

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TONYA JONES,

Plaintiff,

V.

NANCY A. BERRYHILL, Acting
Commissioner of the Social Security
Administration.

Defendant.

CASE NO. 3:16-cv-06048 JRC

**ORDER GRANTING STIPULATED
MOTION FOR REMAND**

This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local Magistrate Judge Rule MJR 13. *See also* Notice of Initial Assignment to a U.S. Magistrate Judge and Consent Form, Dkt. 5; Consent to Proceed Before a United States Magistrate Judge, Dkt. 6. This matter is before the Court on defendant's (corrected) stipulated motion to remand the matter to the Acting Commissioner for further consideration. Dkt. 20.

After reviewing defendant's stipulated motion and the relevant record, the Court grants defendant's motion, and reverses and remands this matter to the Acting Commissioner.

Based on the stipulation of the parties, the Court hereby orders that the Acting Commissioner's final decision be reversed and remanded for further administrative proceedings and a new decision pursuant to the fourth sentence of 42 U.S.C. § 405(g).

Following remand, the administrative law judge will evaluate the medical opinions, including the November 2012 and September 2014 opinions of John Haroian, Ph.D., stating the reasons for the weight given to each. Based on this, the ALJ will continue with the sequential evaluation as warranted, obtaining vocational expert testimony if necessary.

With proper application, plaintiff may seek an award of reasonable attorney's fees pursuant to the Equal Access to Justice Act, 24 U.S.C. § 2412, et seq.

Given the facts and the parties' stipulation, the Court hereby orders that the case be **REVERSED** and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g).

Dated this 30th day of June, 2017.

J. Richard Creature
United States Magistrate Judge